

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/7/2020
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CELITANE GERE,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	20-CV-1085 (VEC)
	:	
MARRIOTT INTERNATIONAL INC.,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS on April 23, 2020, Plaintiff's counsel filed a letter informing the Court that Plaintiff Celitane Gere had passed away (Dkt. 11);

WHEREAS on April 24, 2020, the Court granted Plaintiff's counsel's request to adjourn mediation and all other proceedings in this case pending the appointment of an administrator of Ms. Gere's estate and required Plaintiff's counsel to submit a status report not later than July 22, 2020 (Dkt. 12);

WHEREAS on July 22, 2020, Plaintiff's counsel informed the Court that an administrator had not yet been appointed (Dkt. 14);

WHEREAS pursuant to Federal Rule of Civil Procedure 25(a)(1), a motion for substitution of a party after the party's death must be made within 90 days after service of a statement noting the death, after which the action by or against the decedent must be dismissed;

WHEREAS Plaintiff's notice of death was served on April 23, 2020 (Dkt. 11);

WHEREAS on July 23, 2020, pursuant to Federal Rule of Civil Procedure 6(b), the Court extended the time for a party to file a motion for substitution by 28 days to August 20, 2020 (Dkt. 15);

WHEREAS pursuant to the Court's July 23 order, if no party filed a motion for substitution by August 20, 2020, Plaintiff must show cause why this case should not be dismissed with prejudice not later than August 27, 2020 (Dkt. 15);

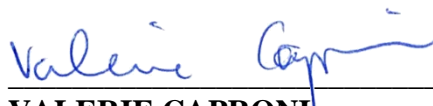
WHEREAS no party filed a motion for substitution by August 20, 2020; and

WHEREAS, as of the date of this order, Plaintiff has not responded to the Court's order to show cause why this case should not be dismissed with prejudice;

IT IS HEREBY ORDERED THAT this case is DISMISSED WITH PREJUDICE pursuant to Rule 25(a)(1). The Clerk is respectfully directed to terminate all open motions and to close the case.

SO ORDERED.

Date: October 7, 2020
New York, New York



VALERIE CAPRONI
United States District Judge